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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,445	05/24/2001	Toshiaki Notsuyu	SON-2138	9816

23353 7590 08/25/2005
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EXAMINER

NGUYEN, HUY THANH

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/863,445

Applicant(s)

NOTSUYU ET AL.

Examiner

HUY T. NGUYEN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-14 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 10 and 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6-9, 11, 13-14, and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Brian et al (5,548,345).

Regarding claim 1, Brian discloses a picture image outputting apparatus for outputting a picture image for display, said apparatus comprising:

storage means for storing a playing time for enabling an output operation of a picture image and a locking time for disabling the output operation of a picture image;

playing time timing means for timing the playing time;

locking time timing means for timing the locking time;

mode selecting means for selecting a playing time limiting mode for controlling the picture image outputting apparatus on a basis of the playing time and the locking time; and

control means for starting timing of said playing time timing means after the playing time limiting mode has been selected and for starting timing of said locking time

timing means when passage of the playing time is detected to disable the output operation of the picture image until the locking time has passed (column 7, lines 5-62, Figs. 4 and 5) .

Regarding claim 2, Brian teaches the picture image outputting apparatus according to claim 1, further comprising:

playing time setting means for user's setting of the playing time (column 7, lines 30-50).

Regarding claim 3, The picture image outputting apparatus according to claim 2, wherein said playing time setting means is means for selecting a playing time from a plurality of playing times (column 7, lines 30-50) using commend key on remote column 7, lines 1-15 Fig. 2,6)..

Regarding claim 6, Brian further teaches the picture image outputting apparatus according to claim 2, wherein said mode selecting means detects completion of the setting of the playing time with said playing time setting means to select the playing time limiting mode (column 7, lines 20-65) .

Regarding claim 7, Brian further teaches the picture image outputting apparatus according to claim 1, wherein said control means starts the timing of said playing time timing means immediately after the playing time limiting mode has been selected (column 7, lines 5, lines 5-65).

Regarding claim 8, Brian further teaches the picture image outputting apparatus according to claim 1, wherein said control means starts the timing of said playing time

timing means after the playing time limiting mode has been selected and an operation of a play switch has been detected (column 7, lines 30-60).

Regarding claim 9, Brian further teaches the9. The picture image outputting apparatus according to claim 8, wherein said control means resumes the timing of said playing time timing means when said control means detects the operation of the play switch in a case where passage of the locking time is detected (column 7, lines 30-60).

Regarding claim 11, Brian further teaches the picture image outputting apparatus according to claim 1, said apparatus further comprising indication means for indicating a locking state during the timing of said locking time timing means (column 7, lines 20-50).

Regarding claim 13, Brian further teaches the picture image outputting apparatus according to claim 1, wherein said picture image outputting apparatus is a picture image reproducer for reproducing picture image information stored in a prescribed storage medium to output the reproduced picture image formation. (column 10, lines 10-19, Fig. 4).

Regarding claim 14, Brian further teaches the picture image outputting apparatus according to claim 13, wherein said picture image reproducer is a video deck for reproducing a videocassette tape to output a reproduced picture image signal (column 10, lines 10-19, Fig. 4).

Regarding claim 17, Brian further teaches the picture image outputting apparatus according to claim 1 wherein said picture image reproducer is a game machine for

executing a game in a state of being connected with a monitor device column 10, lines 10-19, Fig. 4).

Regarding claim 18, Brian further teaches the picture image outputting apparatus according to claim 1, wherein said apparatus is an apparatus for demodulating picture image information delivered through a network to output the demodulated picture image information (column 10, lines 10-19, Fig. 4).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brian in view of Shinagawa et al (6,754,436).

Regarding claims 4 and 5, Brian further teaches the picture image outputting apparatus according to claim 2, wherein said playing time settling means enters a playing time setting mode by a user's continuous operation of a specific key and settles the set playing time by a user's second continuous operation of the specific key using command key on remote column 7, lines 1-15 Fig. 2,6).

Brian fails to specifically teaches that using control keys for setting play time but fails to teaches using a fixed time for the keys .

However, it is noted that using a fixed time for a key to perform a certain function under controlling by predetermined instructions (software) is well known in the art as taught by Shinagawa (column 4, lines 50-55). Therefore, it would have been obvious to one of ordinary skill in the art to store a predetermine instruction to enable the keys of play back time setting means for setting nor releasing the play back time when then keys is operated for a fixed time.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brian in view of Yifrach (5,329,320).

Regarding claim 12, Brian fails to teach that indication means is means for blinking a power indication lamp.

Yifrach teaches using a blinking indication lamp for indicating a mode or a operation status of a apparatus (column 8, lines 9-13). It would have been obvious to one of ordinary skill in the art to modify Brian with Yifrach by using indication means as taught by Yifrach with the apparatus of Brian for blinking a indication lamb as an alternative to the indication disclosed Brian.

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brian in view of Tanaka et al (6,738,561).

Regarding claim 16, Brian fails to specifically teach the reproducer is a versatile disk. However, it is noted that using a versatile disk as an reproducer is well known in the art as taught by Tanaka (column 1, lines 20-25). Therefore it would have been

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obvious to one of ordinary skill in the art to modify Brian with Tanaka by using a versatile disk as an alternative signal source .

Allowable Subject Matter

7. Claims 10 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N


HUY NGUYEN
PRIMARY EXAMINER